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|--|-------------|----------------------|---------------------|------------------|
| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/576,300   | 05/23/2000  | Fred S. Cook         | 1364                | 4399             |
| 29989  | 7590        | 08/26/2004           | EXAMINER            |                  |
| HICKMAN PALERMO TRUONG & BECKER, LLP<br>1600 WILLOW STREET<br>SAN JOSE, CA 95125 |             |                      | TODD, GREGORY G     |                  |
|  |             | ART UNIT             | PAPER NUMBER        |                  |
|  |             | 2157                 |                     |                  |

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                            |                  |
|------------------------------|----------------------------|------------------|
| <b>Office Action Summary</b> | Application No.            | Applicant(s)     |
|                              | 09/576,300                 | COOK, FRED S     |
|                              | Examiner<br>Gregory G Todd | Art Unit<br>2157 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 01 June 2004.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,5-7,15,19-21 and 43-46 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1,5-7,15,19-21 and 43-46 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

This is a third office action in response to applicant's amendment filed, 01 June 2004, of application filed, with the above serial number, on 23 May 2000 in which claims 1 and 15 have been amended and claims 4, 18, 22-29, 32-42 have been cancelled and claims 43-46 have been added. Claims 1, 5-7, 15, 19-21, and 43-46 are therefore pending in the application.

### ***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Applicant has referred examiner to pages 20-23 for the limitation of the action for the second user being the same as the action for the first user and the first alias selection not being the same as the second alias selection. However, examiner has not found evidence of this limitation in the referenced pages of the specification nor the specification as a whole. Applicant is respectfully asked for a specific reference to this limitation in the specification and/or drawings.

### ***Claim Objections***

2. Amended Claim 15 is objected to because of the following informalities: In lines 16 and 23, the same step is being performed, namely "process the second alias selection...", however, this appears to be a typo and in line 16 is believed to be

regarded as processing the *first* alias selection and will be examined as such.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 5-7, 15, 19-21, and 43-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes, Jr. (hereinafter “Hayes”, 6,205,476).

As per Claim 15, Hayes teaches an access system for providing access between user systems and a plurality of communication networks that provide services to users, the access system comprising:

a first network device configured to select a first alias from a first-graphically presented network shell, transmit a packet including the first alias selection to an access server from the network device (user1 - userN) (at least Fig. 3-4; col. 13, lines 8-50);

a second network device configured to select a second alias from a second-graphically presented network shell, transmit a packet including the second alias selection to an access server from the network device (user1 - userN) (at least Fig. 3-4; col. 13, lines 8-50);

the access server connected to the user systems and the plurality of communication networks and configured to determine if a first user associated with the first network device is recognized (user ID and password verification) (at least col. 7, lines 17-35), if the first user is recognized, retrieve the first network shell for the first user from a user access profile for the first user from an access database wherein the first network shell is customized for the first user (user profile based desktop preferences and permissions) (at least col. 1, lines 58-67), receive the first alias selection from the first user into the access server for the first network shell that includes alias selections associated with actions (determining availability of application selected by user) (at least col. 2, lines 1-29), process the second alias selection to execute the action associated with the second alias selection, determine if a second user associated with the second network device is recognized (user ID and password verification) (at least col. 7, lines 17-35), if the second user is recognized, retrieve a second network shell for the second user from a user access profile for the second user from an access database wherein the second network shell is customized for the second user (user profile based desktop preferences and permissions) (at least col. 1, lines 58-67; col. 13, lines 8-50; col. 14, lines 10-17), receive the second alias selection from the second user into the access server for the second network shell that includes alias selections associated with actions (determining availability of application selected by user) (at least col. 2, lines 1-29; col. 13, lines 8-50; col. 14, lines 10-17), process the second alias selection to execute the action associated with the second alias selection wherein the action for the second user is the same as the action for the first user and

wherein the first alias selection is not the same as the second alias selection (eg. applet2 with different preferences and permissions dependent on user) (at least col. 13, lines 8-50; col. 14, lines 10-17; col. 16, lines 25-55); and  
a database system connected to the access server (at least Fig. 2; col. 8, lines 36-42).

5. As per Claim 19.

wherein the action comprises a program (application) (at least col. 2, lines 1-29).

6. As per Claim 20.

wherein the action comprises a macro (at least col. 2 line 1 - col. 3 line 58).

7. As per Claim 21.

wherein the action comprises a service (at least col. 2 line 1 - col. 3 line 58).

8. Claims 1, 5-7, and 43-46 do not add or define any additional limitations over claims 15 and 19-21 and therefore are rejected for similar reasons.

### ***Response to Arguments***

9. Applicant's arguments filed 01 June 2004 have been fully considered but they are not persuasive. Applicants argue in substance, that Hayes does not teach two users utilizing different aliases for the same action or program.

In response to Applicants argument, Examiner has found support for the added limitation to the claims in Hayes at column 13 line 8-50, wherein Hayes teaches the same applications or applets being run by different users on different clients with different desktops, however the "alias" selections according to each different user is

different for each of the same applications where different preferences and permissions are associated for the same applications according to the user and desktop.

***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed; and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Newly cited Suzuki et al, in addition to previously cited Brandt et al, Dircks et al, Barlock et al, Dutcher et al, Bertram et al, Nolan, Lim et al, Brown et al, Barillaud, Kavner, and Shannon are cited for disclosing pertinent information related to the

claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (703)305-5343. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory Todd  
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SALEH NAJJAR  
PRIMARY EXAMINER